

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

<b>FILED</b>
DATE: <u>02/08/12</u>
<u>1:29 O'Clock P.M.</u>
Sandra K Markham, Clerk
BY: <u>HEATHER SMITH</u>
Deputy

DIVISION: VISITING  
HON. GARY E. DONAHOE  
CASE NO. P1300CR201001325

SANDRA K MARKHAM, CLERK  
BY: HEATHER SMITH, DEPUTY CLERK  
DATE: FEBRUARY 8, 2012

TITLE:  
STATE OF ARIZONA

COUNSEL:  
Yavapai County Attorney (e)

(Plaintiff)

(For Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

Craig Williams (e)  
Greg Parzych (e)

(Defendant) (D-1)

(For Defendant)

HEARING:  
Evidentiary Hearing

COURT REPORTER:  
Lisa Chaney

START TIME: 1:29 p.m.

APPEARANCES: Jeff Paupore, Counsel for State  
Steven Young, Counsel for State  
Craig Williams, Counsel for Defendant  
Greg Parzych, Counsel for Defendant  
Steven Carroll DeMocker, Defendant in custody

Court notes, this is the time set for a hearing on the State's motion to admit the July 21, 2009 interview.

Court notes, there are some other issues to be discussed.

Counsel for Defendant, Williams, invokes the rule excluding witnesses.

Counsel for Defendant, Williams, indicates Defendant does not waive any privilege and asserts his right to privileged communication between himself and John Sears.

John Sears is sworn and testifies.

Counsel for State, Paupore, moves for the admission of exhibit 6. Counsel for Defendant, Williams has no objection. Exhibit 6 is admitted.

Counsel for State, Paupore, moves for the admission of exhibit 3. Counsel for Defendant, Williams, objects. Exhibit 3 is admitted.

Counsel for State, Paupore, moves for the admission of exhibits 4 and 5. Counsel for Defendant, Williams, objects. Exhibits 4 and 5 are admitted.

Counsel for Defendant, Williams, stipulates page 2 line 23 to page 3 first 10 lines, that the plain language of the transcripts means what it means.

Counsel for State, Paupore, moves for the admission of exhibit 7. Counsel for Defendant, Williams, objects. The objection is sustained and exhibit 7 is not admitted.

Witness is excused.

Counsel for Defendant, Williams, believes based upon the testimony given so far, the rest of the testimony to be given is not necessary. Defendant's motion to terminate the proceeding is denied.

Joseph Butner is sworn and testifies.

Witness is excused.

Randy Schmidt is sworn and testifies.

Counsel for State, Paupore, moves for the admission of exhibits 1 and 2. Counsel for Defendant, Williams, objects. Exhibits 1 and 2 are admitted.

Counsel for State, Paupore, moves for the admission of exhibit 11. Counsel for Defendant, Williams, objects. Exhibit 11 is admitted.

Witness is excused.

Counsel for Defendant, Williams, provides argument.

Counsel for State, Paupore, responds.

Court takes the State's Motion to Admit Defendant's July 21, 2009 Interview under advisement.

Court and Counsel address the State's Motion for Reconsideration.

Counsel for Defendant, Williams, addresses Defendant's Motion for Extension of Time to File Expert Report.

Counsel for Defendant requests that the Court approve \$43,882.50 to be paid to Navigant to pay the previous balance so that the work can continue. The Court advises the parties that the Court does not believe it has any jurisdiction and requests that all counsel work with the County's Contract Administrator and Navigant to resolve the billing dispute.

Counsel for State, Young, requests a hearing be set to discuss Defendant's financial issues prior to trial. The Court again advises counsel that the Court has no authority to intervene in the dispute. However, if Navigant and the parties agree to the Court holding a hearing to resolve the issue of whether the amount billed is reasonable, the Court will do so.

Counsel Williams will arrange a meeting with himself, Counsel for State, Paupore and Mr. Cardwell.

Counsel believes Mr. O'Kelly will generate a report and that will be provided to Counsel for State.

**IT IS ORDERED** releasing exhibits 7, 8, 9, 10 and 12 back to the submitting party.

**IT IS FURTHER ORDERED** that the parties submit to the Court a joint list of names of those people the Court will have to mention during *voir dire* no later than **March 15, 2012**.

**IT IS FURTHER ORDERED** that counsel shall submit a list of exhibits and all exhibits to the clerk of the court by the close of business on **March 15, 2012**. The list should reflect those exhibits that can be admitted by stipulation. There shall be no duplicate exhibits submitted for marking.

CC: Hon. Gary E. Donahoe (e)  
YCSO – Detention Records (e)  
Victim Services (e)  
Steptoe & Johnson (e)  
Melody Harmon (e)  
De La Torre Law Office (e)  
William Culbertson (e)  
James J. Belanger, 2800 N. Central Avenue, Ste 1200, Phoenix, AZ 85004

**END TIME: 3:55 p.m.**